

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Raffaele Ocello,

Plaintiff,

CV-05-3725 (CPS)

- against -

ORDER

The City of New York, Skanska USA Inc.,
Skanska USA Construction Services Inc.,
Skanska USA Building Inc., Barney Skanska
Inc., Gates Construction Corporation,
Great Lakes Dredge and Dock Company LLC,
and Harris Structural Steel Company Inc.,

Defendants.

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SIFTON, Senior Judge.

The motion for reconsideration filed by defendants Skanska, USA, Inc., Skanska USA Construction Services, Inc., Skanska USA Building, Inc., and Barney Skanska, Inc. (collectively, "Skanska") with respect to the January 4, 2007 order granting summary judgment and dismissing the City's cross-claims is granted. *See Vermont Teddy Bear Company, Inc. v. 1-800 Beargram Company*, 373 F.3d 241, 244 (2d Cir. 2004). Defendant City of New York is directed to submit additional papers on April 11, 2007, explaining why it did not oppose Skanska's motion for summary judgment on or before December 1, 2006, as required by the scheduling order dated November 21, 2006, along with any papers it now wishes to submit in opposition to that motion for summary

judgment. Any responsive papers from defendant Skanska shall be served and filed before April 16, 2007. Reply papers, if any, shall be served and filed on or before April 19, 2007.

The clerk is directed to transmit a copy of the within to all parties and to the Magistrate Judge.

SO ORDERED.

Dated : Brooklyn, New York
April 5, 2007

By: /s/ Charles P. Sifton (electronically signed)
United States District Judge